IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.
Arbitration Application No.137 of 2006

Payal Builders & Associates
(P) Ltd. ... ... Applicant
v/s.
Union of India through the General
Manager, Central Railway. ... Respondents

Ms.Suchitra Kamble for applicant.
Mr.P.J.Pandian for respondents.

CORAM : H.L. GOKHALE, ACTING C.J.

DATED : 9th February 2007

P.C. :

1. Heard the learned Counsel for the parties.

2. Mr.Pandian appearing for the respondents points out that special conditions insisted by the Railways have been accepted by the applicant and there is a signed document under which if the parties have to go for arbitration under Clauses 63 and 64 of the General Conditions of the Contract, they have to restrict the dispute for a value which is less than 20% of the value of the contract.

3. Ms.Kamble appearing for the applicant agrees that as far as the claim of the applicant-Company is concerned, it will restrict the same to 20% and, therefore, the dispute

between the parties to that extent will stand referred to arbitration.

4. The General Manager of the Central Railway will appoint an Arbitrator as per the settled practice within four weeks from the receipt of the order.

5. Application stands disposed of with the above order.

(ACTING C.J.)